

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

WILLIE B. GAINES, JR.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:12cv404 TSL-MTP

DORRIS McDONALD

DEFENDANT

ORDER

This cause came on this date to be heard upon the report and recommendation of the United States magistrate judge, and the court, having fully reviewed the report and recommendation of the United States magistrate judge entered in this cause on or about January 25, 2013, and being duly advised in the premises, finds that said report and recommendation should be adopted as the opinion of this court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge Michael T. Parker entered on January 25, 2013, and the same is hereby, adopted as the finding of this court. Plaintiff Willie B. Gaines, Jr. is not entitled to summary judgment on his claims for denial of due process, denial of adequate healthcare, deliberate indifference, and inadequate housing conditions. Further, the [21] motion for partial summary judgment of Willie B. Gaines, Jr., is denied.

IT IS SO ORDERED, this the 12th day of February, 2013.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE